

LAW OFFICES OF DALE K. GALIPO

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Attorneys for Plaintiff Tyler K. Bryant,

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TYLER KAI BRYANT,

Plaintiff,

v.

DUSTIN HEERSCHKE; BRADLEY
BORDON; ERIC WIATT; and JODY
DESJARDINS,

Defendants.

2:23-cv-03434 JLS (PVCx)

*District Judge Josephine L. Staton
Magistrate Judge Pedro V. Castillo*

**PROOF OF SERVICE OF
SUMMONS AND COMPLAINT**

TO THIS HONORABLE COURT:

In accordance with Rule 4(l)(1) of the Federal Rules of Civil Procedure, and Central District Local Rule 5-3.1, Plaintiffs hereby submit their proof of service of the Complaint, Summons, and other documents on Defendant ERIC WIATT (attached hereto as Exhibit "A").

DATED: November 9, 2023

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By: /s / Dale K. Galipo

Dale K. Galipo Attorney for Plaintiffs

Exhibit A

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Dale K. Galipo (SBN 144074) Benjamin S. Levine (SBN 342060) LAW OFFICES OF DALE K. GALIPO 21800 Burbank Boulevard, Suite 310 Woodland Hills, CA 91367 TELEPHONE NO.: (818) 347-3333 FAX NO. (818) 347-4118 E-MAIL ADDRESS dalekgalipo@yahoo.com ATTORNEY FOR (Name): Plaintiff: TYLER KAI BRYANT	FOR COURT USE ONLY
UNITED STATES DISTRICT COURT STREET ADDRESS: 411 West 4th Street CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: FOR THE CENTRAL DISTRICT OF CALIFORNIA	
PLAINTIFF/PETITIONER: TYLER KAI BRYANT DEFENDANT/RESPONDENT: DUSTIN HEERSCHKE; et al.	CASE NUMBER: 2:23-cv-03434-JLS (PVCx)
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: 2247095RC

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☐ Summons
 - b. ☐ Complaint
 - c. ☐ Alternative Dispute Resolution (ADR) package
 - d. ☒ Civil Case Cover Sheet
 - e. ☐ Cross-Complaint
 - f. ☒ other (specify documents): **Amended Summons; First Amended Complaint; Civil Minutes - General; Civil Trial Order; Initial Standing Order for Civil Cases Assigned to Judge Josephine L. Staton**
3. a. Party served (specify name of party as shown on documents served):
ERIC WIATT/VC SHERIFF DEPT.
 - b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
Sheri Bebenining, authorized person to accept service on behalf of Eric Wiatt
4. Address where the party was served: **800 South Victoria Avenue
Ventura, CA 93009**
5. I served the party (check proper box)
 - a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **10/31/2023** (2) at (time): **11:57 AM**
 - b. ☐ **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

Plaintiff: TYLER KAI BRYANT
Defendant: DUSTIN HEERSCHKE; et al.

- c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed* Notice and Acknowledgement of Receipt.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (*specify means of service and authorizing code section*):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☒ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (*specify*):
- c. ☐ as occupant.
- d. ☐ On behalf of (*specify*):

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. Person who served papers

- a. Name: **Sandra Lopez - Ace Attorney Service, Inc.**
- b. Address: **811 Wilshire Boulevard, Suite 900 Los Angeles, CA 90017**
- c. Telephone number: **(213) 623-3979**
- d. **The fee** for service was: **\$ 66.00**
- e. I am:

- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server:
- (i) ☐ owner ☒ employee ☐ independent contractor.
- (ii) Registration No.: **701**
- (iii) County: **VENTURA**

8. ☒ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or

9. ☐ **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date: **10/31/2023****Sandra Lopez**

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(Signature - Per CC §1633.7)